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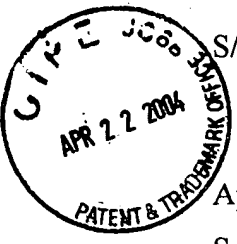
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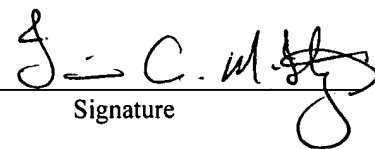
S/N 10/656,920

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	C. PARSONS et al.	Examiner:	Unknown
Serial No.:	10/656,920	Group Art Unit:	2874
Filed:		Docket No.:	1010.8126UU
Title:	FIBER OPTIC TAP WITH COMPENSATED SPECTRAL FILTER		

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on April 19, 2004.

<u>Iain A. McIntyre</u> Name	<u></u> Signature
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PETITION SUBMITTED UNDER 37 C.F.R. § 1.47(a)

Assistant Commissioner for Patents
Washington, D.C. 20231

This petition is submitted along with a partially signed declaration in response to the Notice to File Missing Parts, dated December 10, 2003.

Facts
The pertinent facts are listed below.

1. The present patent application was filed on September 5, 2003, based on Provisional Patent Application Serial No. 60/408,738, filed September 6, 2002. The present application was filed with an unsigned declaration. The invention was developed by the inventors as part of their duties while employed by ADC Telecommunications Inc., Eden Prairie, Minnesota. None of the inventors remained in the employ of ADC Telecommunications Inc. at the time the present application was filed.
2. A Notice to File Missing Parts was issued by the USPTO on December 10, 2003.
3. Copies of the application were mailed by the below-signed attorney to all inventors. In particular, a copy of the application, including drawings, declaration and assignment, were sent via FedEx on January 16, 2004, to:

04/23/2004 WABDELRI 00000006 10656920 130.00 OP
01 FC:1460

Mr. Ye Feng, 480 Grove Drive, Apartment 304, Santa Clara, California 95054.

4. The addressed used for Mr. Y. Feng was his last known address.
5. In the cover letter, Mr. Feng was requested to review the application and to execute the declaration and assignment enclosed with the letter. A copy of the cover letter sent to Dr. Feng is attached.
6. Although the application was signed for by S. Sergio (see attached FedEx record) the application could not be delivered to Mr. Feng.
7. The application was subsequently returned to the below-signed attorney by FedEx.
8. A second attempt was made at sending the application to Mr. Feng. The application was sent via the USPS, certified mail, on February 24, 2004. A copy of the cover letter is attached.
9. The package was considered undeliverable by the USPS, and it was returned. A copy of the envelope is attached, indicating that delivery was attempted but was unsuccessful.

Petition

As is outlined in the facts above, a diligent effort was made to contact Mr. Feng and present him with a copy of the application and declaration. This effort failed, and Mr. Feng has not been reached. The remaining Applicants submit this petition along with the response to the Notice to File Missing Parts, and request that the PTO consider the application to be complete.

This petition is accompanied by:

- (A) Declarations signed by the remaining inventors which, according to MPEP § 409.03(a) may be treated as a signature by the remaining inventors on behalf of Mr. Feng.
- (B) Evidence supporting the nonavailability of Mr. Feng provided in the facts listed above and in the attached papers.
- (C) Mr. Feng's last known address, provided in paragraph 3 of the Facts, above.
- (D) A petition fee in the amount \$130 according to 37 C.F.R. § 1.17(h)

Applicants believe that all requirements of 37 C.F.R. § 1.47(a) have been met.

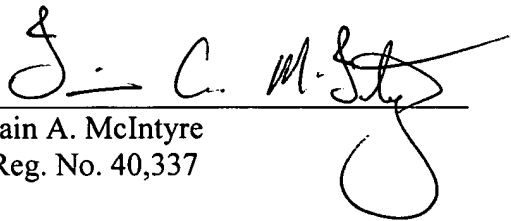
Should there be any further issues concerning this application, the Office is invited to contact Iain A. McIntyre at 612 436 9610.

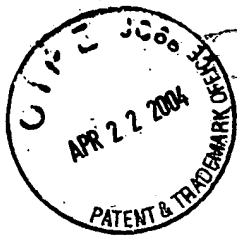
Respectfully submitted,

CCVL P.A.

Customer No. 38846

April 19, 2004


Iain A. McIntyre
Reg. No. 40,337



CARLSON, CASPERS, VANDENBURGH & LINDQUIST
INTELLECTUAL PROPERTY LITIGATION & COUNSELING

Iain A. McIntyre, Ph.D.
Direct Dial: 612.436.9610
E-mail: imcintyre@ccvl.com

January 16, 2004

Ye Feng
480 Grove Drive, Apt. 304
Santa Clara, California 95054

VIA FEDERAL EXPRESS

Re: U.S. Patent Application Serial Number 10/656,920 for:
FIBER OPTIC TAP WITH COMPENSATED SPECTRAL FILTER
Our Reference No. 1010.8126UU

Dear Mr. Feng:

Enclosed is a copy of a Patent Application that was filed on behalf of ADC Telecommunications on September 5, 2003. We believe that you are an inventor on this application. Please review the application and check that you invented the claimed subject matter.

Enclosed are Declaration and Power of Attorney and Assignment forms. Please sign the documents and return them to us at your earliest convenience. We need to file these forms with the U.S. Patent and Trademark office.

If you have any questions, please call or email me. Thank you for your assistance in this matter.

Very truly yours,

Iain A. McIntyre, Ph.D.

IAM/gmb

Enclosures

A Professional Corporation

225 South Sixth Street, Suite 3200, Minneapolis, MN 55402
Tel. 612.436.9600 Fax. 612.436.9605 www.ccvl.com



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Delivery Time: 1200

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Ship Date: January 16, 2004

Recipient:

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Iain A. McIntyre, Ph.D.
Direct Dial: 612.436.9610
E-mail: imcintyre@ccvl.com

February 23, 2004

Ye Feng
480 Grove Drive, Apt. 304
Santa Clara, California 95054

VIA CERTIFIED MAIL

Re: U.S. Patent Application Serial Number 10/656,920 for:
FIBER OPTIC TAP WITH COMPENSATED SPECTRAL FILTER
Our Reference No. 1010.8126UU

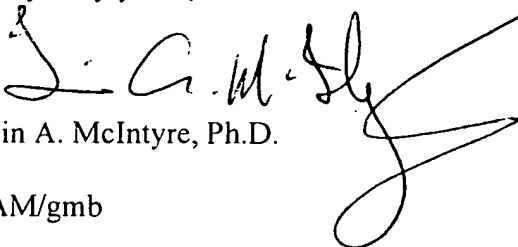
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If you have any questions, please call or email me. Thank you for your assistance in this matter.

Very truly yours,



Iain A. McIntyre, Ph.D.

IAM/gmb

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A Professional Corporation

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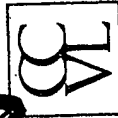
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Ye Feng

480 Grove Drive, Apt. 304
Santa Clara, CA 95054

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